

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 05-cr-262-01-SM

Maura Wylie

O R D E R

On September 1, 2009, defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on four alleged violations of conditions of supervision. The testimony of Probation Officer Kinnan and Exhibits 1-4 establish that defendant consumed alcohol, probably committed a crime, and failed to participate in treatment programs. I therefore find probable cause to hold her for a revocation hearing.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that she will not flee and that he poses no danger to any other person or to the community. Unless and until defendant is mentally assessed and receives treatment, she is a risk of non-appearance and a danger to herself and to the community. There are no conditions which are likely to assure her presence and the safety of the community.

Accordingly, it is **ORDERED** that the defendant be detained

pending trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: September 1, 2009

cc: Bjorne Lange
Robert Kinsella, Esq.
U.S. Marshal
U.S. Probation